

TELECOPIER COVER SHEET**October 14, 2003**

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| To: Assistant Commissioner for Patents | From: Estella Pineiro Patent Administrator 818/493-2251 |
| Attention: Examiner F. Oropeza Art Unit: 3762 TECHNOLOGY CENTER 3700 | ST. JUDE MEDICAL CRMD 15900 Valley View Court Sylmar, California 91392-9221 |
| Telecopier: 703/306-4520 | Telecopier: 818/362-4795 |
| RE: Filing of Amendment and Request for Reconsideration Applic. No. 09/764,617 Filed: 01/26/2001 Docket No. A01P1002 | Number of pages being sent: <u>14</u> (including cover page) |

PLEASE DELIVER TO EXAMINER FRANCES P. OROPEZA, Art Unit 3762.

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE AND THOSE PROPERLY ENTITLED TO ACCESS TO THE INFORMATION AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND/OR EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS TRANSMISSION IS NOT THE INTENDED OR AN AUTHORIZED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY UNAUTHORIZED DISTRIBUTION, DISSEMINATION, OR DUPLICATION OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE OR FACSIMILE. THANK YOU.

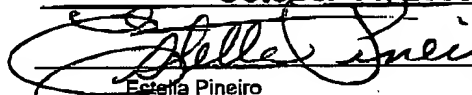
12/B
PATENT B. Webb
10/16/03**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | | |
|--------------------|---|------------------|------------|
| Applicant: | Gene A. Bornzin | Examiner: | F. Oropeza |
| Serial No.: | 09/764,617 | Art Unit: | 3762 |
| Filed: | 01/16/2001 | | |
| Docket No.: | A01P1002 | | |
| For: | SYSTEM AND METHOD FOR AUTOMATING CAPTURE VERIFICATION ASSESSMENT AND PACING THRESHOLD ASSESSMENT USING A PROGRAMMER | | |

AMENDMENT AND REQUEST FOR RECONSIDERATION

I hereby certify that this correspondence is being facsimile
transmitted to the United States Patent and Trademark Office
on:

October 14, 2003


Estelita Pineiro Date 10/14/03

MAIL STOP AMENDMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated August 12, 2003, please amend the
above-identified patent application as follows:

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | | |
|--------------------|---|------------------|------------|
| Applicant: | Gene A. Bornzin | Examiner: | F. Oropeza |
| Serial No.: | 09/764,617 | Art Unit: | 3762 |
| Filed: | 01/16/2001 | | |
| Docket No.: | A01P1002 | | |
| For: | SYSTEM AND METHOD FOR AUTOMATING CAPTURE VERIFICATION ASSESSMENT AND PACING THRESHOLD ASSESSMENT USING A PROGRAMMER | | |

**TRANSMITTAL OF AMENDMENT AND REQUEST FOR RECONSIDERATION
AND CERTIFICATE OF MAILING**

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

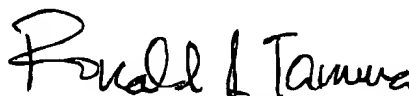
Sir:

Submitted herewith for filing are the following documents:

- ☒ Amendment and Request for Reconsideration
- ☒ Transmittal of Amendment... and Cert. of Mlg.
- ☒ Fee Transmittal

Respectfully submitted,

Date: 10/13/03



Ronald S. Tamura, Reg. No. 43,179
Patent Attorney for Applicant

Correspondence Address:
PACESETTER, INC.
15900 Valley View Court
Sylmar, CA 91392-9221
818/493-3157
818/362-4795 (fax)

I hereby certify that this correspondence is being facsimile transmitted to the
United States Patent and Trademark Office on:

October 14, 2003

 10/14/03
Estella Pineiro Date

PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 0

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 09/764,617 |
| Filing Date | 01/16/2001 |
| First Named Inventor | Gene A. Bornzin |
| Examiner Name | F. Oropeza |
| Art Unit | 3762 |
| Attorney Docket No. | A01P1002 |

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

 Deposit Account Number
 Deposit Account Name

16-0068

PACESETTER, INC.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 750 | 2001 375 | Utility filing fee | |
| 1002 330 | 2002 165 | Design filing fee | |
| 1003 520 | 2003 260 | Plant filing fee | |
| 1004 750 | 2004 375 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE PREV. PAID FOR

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| 20 | 3 | | 0 | 18 | 0 |
| | | | 0 | 84 | 0 |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 84 | 2201 42 | Independent claims in excess of 3 |
| 1203 280 | 2203 140 | Multiple dependent claim, if not paid |
| 1204 84 | 2204 42 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) | | |

SUBTOTAL (2)

(\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|---------------|---------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 410 | 2252 205 | Extension for reply within second month | |
| 1253 930 | 2253 465 | Extension for reply within third month | |
| 1254 1,450 | 2254 725 | Extension for reply within fourth month | |
| 1255 1,970 | 2255 985 | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | Notice of Appeal | |
| 1402 320 | 2402 160 | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,300 | 2453 650 | Petition to revive - unintentional | |
| 1501 1,300 | 2501 650 | Utility issue fee (or reissue) | |
| 1502 470 | 2502 235 | Design issue fee | |
| 1503 630 | 2503 315 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 750 | 2809 375 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 750 | 2810 375 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 750 | 2801 375 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Ronald S. Tamura

Registration No.

43,179

Telephone 818-493-3157

Signature

Ronald S. Tamura

Date

10/5/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.